In the Supreme Court of the United States

OCTOBER TERM, 1971

No. 71-557

JEROME DEUTSCH, PETITIONER

v.

UNITED STATES OF AMERICA

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

MEMORANDUM FOR THE UNITED STATES IN OPPOSITION

After a jury trial in the United States District Court for the Southern District of New York, petitioner was convicted on one count of having aided and abetted one Mills in knowingly accepting compensation from the issuer of certain securities, while Mills was "acting as agent" for certain registered investment companies, in violation of 15 U.S.C. 80a-17 (e)(1). He was sentenced to pay a fine of $10,000.

The court of appeals affirmed in a comprehensive opinion (Pet. 1a-36a).

Petitioner raises numerous questions, primarily concerning the construction of the underlying statute. His claims are fully discussed and properly rejected in the comprehensive opinion below on which we rely.

It is therefore respectfully submitted that the petition for a writ of certiorari should be denied.

ERWIN N. GRISWOLD,
Solicitor General.

NOVEMBER 1971.

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